

**41-6a-1803. Driver and passengers -- Seat belt or child restraint device required.**

- (1) (a) The operator of a motor vehicle operated on a highway shall:
  - (i) wear a properly adjusted and fastened safety belt;
  - (ii) provide for the protection of each person younger than eight years of age by using a child restraint device to restrain each person in the manner prescribed by the manufacturer of the device; and
  - (iii) provide for the protection of each person eight years of age up to 16 years of age by securing, or causing to be secured, a properly adjusted and fastened safety belt on each person.
- (b) Notwithstanding the requirement under Subsection (1)(a)(ii), a child under eight years of age who is 57 inches tall or taller:
  - (i) is exempt from the requirement in Subsection (1)(a)(ii) to be in a child restraint device; and
  - (ii) shall use a properly adjusted and fastened safety belt as required in Subsection (1)(a)(iii).
- (2) A passenger who is 16 years of age or older of a motor vehicle operated on a highway shall wear a properly adjusted and fastened safety belt.
- (3) If more than one person is not using a child restraint device or wearing a safety belt in violation of Subsection (1), it is only one offense and the driver may receive only one citation.
- (4) For a person 19 years of age or older who violates Subsection (1)(a)(i) or (2), enforcement by a state or local law enforcement officer shall be only as a secondary action when the person has been detained for a suspected violation of Title 41, Motor Vehicles, other than Subsection (1)(a)(i) or (2), or for another offense.

Amended by Chapter 160, 2008 General Session